

**Title:** Retailer Stocking and Variety

**Purpose**

Retailers must stock the required items at all times in sufficient quantities to meet WIC participant demand.

**Authority**

7 CFR 246.12(g)(3)

**Policy**

It is the policy of the Montana WIC Program that businesses applying to become a WIC retailer must carry and maintain a specific minimum variety and quantity of WIC-approved foods. Authorized retailers must maintain the minimum stocking levels at all times.

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**I. Rationale**

- A. Constant availability of WIC foods is an important component of the WIC Program. Participants should be able to purchase all food prescribed on the WIC benefits when they shop at participating WIC retailers.

**II. Infant Formula Purchasing Requirement**

- A. To ensure the safety of infant formula, it must be purchased from the Montana WIC Programs approved list of formula distributors. This list is shared with all authorized WIC retailers and Retailer-pharmacies at least once every federal fiscal year and is posted on the MT WIC website.

**III. Stocking Levels**

- A. A stocking shortage is considered a violation of the retailer contract.
- B. Small, rural retailers should review the "Infant Formula/Cereal/Baby Food Exemptions" policy 9-7.

**III. First Report of Stocking Shortage**

- A. When a shortage is first reported to the local agency by either the WIC participant(s) or the state office, the local agency retailer coordinator (LARC) should:
  - 1. call the retailer to discuss the shortage, the next anticipated delivery date, and resolution;
  - 2. document the conversation in the retailer file, and send a copy to the Montana WIC Program. The State will send a warning letter to the retailer, with a copy to the LARC.

**IV. Subsequent Report of Stocking Shortage**

- A. When a subsequent report of a stocking shortage is made, the LARC must:
  - 1. Make an unannounced on-site visit to the retailer within 48 hours of the complaint;
  - 2. Document the shortage;
  - 3. Discuss the issue with appropriate store personnel (i.e., manager or department head), obtaining their signature on the visit report;

4. Mail the original form to the Montana WIC Program within 24 hours. The State will send a final warning letter upon receipt of the first subsequent complaint, and subsequently, sanction letter(s) to the retailer. Copies will be sent to the LARC. If the retailer is part of a chain, copies will be sent to the chain's headquarters.
- B. The first time a retailer is sanctioned for inadequate stock they will receive a warning letter and be asked to complete a corrective action plan. At any subsequent occasion, the retailer may be disqualified from participating in the WIC Program.
- C. Cases of extreme weather in which delivery trucks are unable to travel will be exempt from the mandatory stocking requirements.

**V. Delivery Period**

- A. 'Delivery Period' refers to the days the wholesaler is scheduled to deliver food stock to the retailer.

**VI. Sanction Period**

- A. 'Sanction Period' will consist of the next two delivery periods from the date of the on-site visit by the LARC.
- B. If, at the end of the sanction period, the retailer's stock does not meet the variety and quantity requirements, sanction points will be assigned.

**IV. Stocking Requirements**

See following page.

**MONTANA STATE PLAN & POLICY MANUAL  
CHAPTER NINE**

**MINIMUM WIC FOOD STOCKING REQUIREMENTS  
For Montana Authorized Retailers in Peer Group 1 & 2**

Retailers must have the following items in stock at all times in sufficient quantities to meet WIC participant demand. Quantities are based on the amounts needed to fill a benefit for one pregnant woman, one infant and one child

**Refer to the Approved Food List for authorized brands/types.**

<b>Food Item</b>	<b>Minimum Requirements</b>
<b>Milk</b> Reduced fat (skim, 1%, or 2%, - choose one) and Whole	3 gallons of each and 3 half-gallons of each
<b>Cheese</b> 16 or 8 oz packages	3 – 16 oz packages of two flavor varieties or 6 – 8 oz packages of two flavor varieties
<b>Eggs</b> dozens only	3 dozen
<b>Breakfast Cereal</b> 12-oz packages or larger cold cereal and 12 – 11 oz packages hot cereal	2 boxes of three varieties cold and 2 boxes of one variety hot (one of the cold or hot varieties must be whole grain)
<b>Whole Grain Items</b> 16 oz loaves whole wheat bread and 16 – 14 oz packages brown rice	3 loaves of bread and 3 packages of brown rice
<b>Juices</b> 12 - 11.5 oz frozen and 64 oz plastic bottles	3 cans of two different flavors – frozen and 3 bottles of two different flavors - bottled
<b>Peanut Butter</b> 18 - 16 oz jars	3 jars
<b>Legumes</b> (mature beans) 16 – 14 oz bags dry and 16 - 14.5 oz canned legumes	3 packages of two varieties – dry and 10 cans of two varieties - canned
<b>Canned Fish</b> 6 - 5 oz cans	6 cans of light tuna and/or pink salmon
<b>Infant Cereal</b> 8-oz boxes	2 boxes of two different grain varieties
<b>Infant Foods</b> Fruits, 4 oz jars, Stage 2 only and Vegetables, 4 oz jars, Stage 2 only and Meats, 2.5 oz jars	20 jars of fruits and vegetables including two flavors of fruits and two flavors of vegetables and 10 jars of baby food meats including two flavors
<b>Infant Formula</b> Powdered format required in size specified Similac Advance Early Shield – 12.4 oz. and Similac Sensitive – 12.6 oz. and Enfamil Prosobee – 12.9 oz.	6 cans of each variety
<b>Fresh Fruits and Vegetables</b>	2 different varieties of fresh fruits and 2 different varieties of fresh vegetables

**MONTANA STATE PLAN & POLICY MANUAL  
CHAPTER NINE**

**MINIMUM WIC FOOD STOCKING REQUIREMENTS  
For Montana Authorized Retailers in Peer Group 3**

Retailers must have the following items in stock at all times in sufficient quantities to meet WIC participant demand. Quantities are based on the amounts needed to fill a benefit for one pregnant woman, one infant and one child.

**Refer to the Approved Food List for authorized brands/types.**

<b>Food Item</b>	<b>Minimum Requirements</b>
<b>Milk</b> Reduced fat (skim, 1%, or 2%, - choose one) and Whole	3 gallons of each and 3 half-gallons of each
<b>Cheese</b> 16 or 8 oz packages	3 – 16 oz packages of two flavor varieties or 6 – 8 oz packages of two flavor varieties
<b>Eggs</b> dozens only	3 dozen
<b>Breakfast Cereal</b> 12-oz packages or larger cold cereal and 12 – 11 oz packages hot cereal	2 boxes of three varieties cold and 2 boxes of one variety hot (one of the cold or hot varieties must be whole grain)
<b>Whole Grain Items</b> 16 oz loaves whole wheat bread and 16 – 14 oz packages brown rice	3 loaves of bread and 3 packages of brown rice
<b>Juices</b> 12 - 11.5 oz frozen and 64 oz plastic bottles	3 cans of two different flavors – frozen and 3 bottles of two different flavors - bottled
<b>Peanut Butter</b> 18 - 16 oz jars	3 jars
<b>Legumes</b> (mature beans) 16 – 14 oz bags dry and 16 - 14.5 oz canned legumes	3 packages of two varieties – dry and 10 cans of two varieties - canned
<b>Canned Fish</b> 6 - 5 oz cans	6 cans of light tuna and 6 cans of pink salmon
<b>Infant Cereal</b> 8-oz boxes	2 boxes of two different grain varieties
<b>Infant Foods</b> Fruits, 4 oz jars, Stage 2 only and Vegetables, 4 oz jars, Stage 2 only and Meats, 2.5 oz jars	20 jars of fruits and vegetables including two flavors of fruits and two flavors of vegetables and 10 jars of baby food meats including two flavors
<b>Infant Formula</b> Powdered format required in size specified Similac Advance Early Shield – 12.4 oz. and Similac Sensitive – 12.6 oz. and Enfamil Prosobee – 12.9 oz.	6 cans of each variety
<b>Fresh Fruits and Vegetables</b>	2 different varieties of fresh fruits and 2 different varieties of fresh vegetables

